

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

LORNA GERIS, Individually, and as Personal Representative of the Estate of FRED GERIS, and as Parent and Natural Guardian of CHRISTOPHER, MATTHEW, and KRISTINE GERIS; and the WORKPLACE SAFETY & INSURANCE BOARD OF ONTARIO, as Subrogee,

Plaintiffs,

v.

DiSILVA TAUNTON EXPRESS, INC.,
and JOSE L. MARTE,

Defendants.

**NOTICE OF MOTION
FOR AN ORDER EXTENDING
PLAINTIFFS TIME
TO RESPOND TO
DEFENDANTS' OPPOSITION
TO PLAINTIFFS' CROSS-
MOTION FOR SUMMARY
JUDGMENT AND THE
DISCOVERY CUT OFF DATE**

case No.: 1:07-CV-376-JTC

NATURE OF ACTION:

Personal Injury/Wrongful Death.

MOVING PARTY:

Plaintiffs Lorna Geris, Individually, and as Personal Representative of the Estate of Fred Geris, and as Parent and Natural Guardian of Christopher, Matthew, and Kristine Geris; and the Workplace Safety & Insurance Board of Ontario.

DIRECTED TO:

Defendants.

DATE AND TIME:

To Be Determined.

PLACE:

United States Courthouse, 2 Niagara Square,
Buffalo, New York 14202.

SUPPORTING PAPERS:

Declaration of Paul Morrison-Taylor, Esq.
dated May 7, 2013.

ANSWERING PAPERS:

If any, are to be served in accordance with the Local Rules of the Court.

RELIEF REQUESTED:

An Order Granting Plaintiffs an Extension in which to Reply to Defendants' Opposition to Plaintiffs' Cross-Motion for Summary

Judgment to and including June 28, 2013 and
an Order Extending the Discovery Cut-Off
Date to and including September 14, 2013.

ORAL ARGUMENT: None Requested.

DATED: Buffalo, New York
May 7, 2013

PHILLIPS LYTLE LLP

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